



Rob Wilcox <rob.wilcox@lacity.org>

question about LAMC 41.18

Hall, Carla <Carla.Hall@latimes.com>
To: Rob Wilcox <rob.wilcox@lacity.org>

Tue, Aug 30, 2016 at 8:13 PM

Hi, Rob,

I was just re-reading the code and it says:

No person shall stand in or upon any street, sidewalk or other public way open for pedestrian travel or otherwise occupy any portion thereof in such a manner as to annoy or molest any pedestrian thereon or so as to obstruct or unreasonably interfere with the free passage of pedestrians. (Amended by Ord. No. 137,269, Eff. 10/21/68.)

Whether or not a defendant's acts "in any manner hindered or obstructed the free-passage" of persons passing is clearly a question of fact for the jury. People v. Firestone, CR A 518.

That makes it sound like you could be legally sitting or standing or even sleeping on a part of the public sidewalk during the day (so I'm not talking about Jones settlement hours) as long as you don't interfere with other people. I always thought it was no sitting or standing at all. (And I know you can't block entrances.)

I'm doing (maybe) an editorial on the Venice Beach BID that some people are trying to form. Legally, do BID private security personnel have the right to make a person move along off a *public* sidewalk? Isn't it only a police officer, enforcing 41.18, who can do make a person obey the ordinance?

Thanks!

Carla

LA Times editorial writer

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Rob Wilcox <rob.wilcox@lacity.org>

question about LAMC 41.18

Rob Wilcox <rob.wilcox@lacity.org>
To: "Hall, Carla" <Carla.Hall@latimes.com>

Wed, Aug 31, 2016 at 2:36 PM

Hi Carla:

I'm trying to find out from our folks. Will let you know what I find.

Rob

Rob Wilcox
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Rob Wilcox <rob.wilcox@lacity.org>

question about LAMC 41.18

Hall, Carla <Carla.Hall@latimes.com>
To: Rob Wilcox <rob.wilcox@lacity.org>

Wed, Aug 31, 2016 at 2:51 PM

Thanks, Rob!

From: Rob Wilcox [mailto:rob.wilcox@lacity.org]
Sent: Wednesday, August 31, 2016 2:37 PM
To: Hall, Carla
Subject: Re: question about LAMC 41.18

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Rob Wilcox <rob.wilcox@lacity.org>

question about LAMC 41.18

Hall, Carla <Carla.Hall@latimes.com>
To: Rob Wilcox <rob.wilcox@lacity.org>

Thu, Sep 1, 2016 at 10:15 AM

Hi, Rob,

I'm writing this Venice BID editorial for tomorrow. So let me know if you found out even partial answers to my questions. Meanwhile one more—panhandling in LA on *public* property is NOT illegal, right? It's only aggressive panhandling that is illegal, right? (I will try right now to find the answer to that question. I think it's more straightforward.)

Thanks!

Carla

From: Rob Wilcox [mailto:rob.wilcox@lacity.org]
Sent: Wednesday, August 31, 2016 2:37 PM
To: Hall, Carla
Subject: Re: question about LAMC 41.18

Hi Carla:

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Rob Wilcox <rob.wilcox@lacity.org>

question about LAMC 41.18

Hall, Carla <Carla.Hall@latimes.com>
To: Rob Wilcox <rob.wilcox@lacity.org>

Thu, Sep 1, 2016 at 11:01 AM

Thanks!

From: Rob Wilcox [mailto:rob.wilcox@lacity.org]
Sent: Thursday, September 01, 2016 10:56 AM

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Rob Wilcox <rob.wilcox@lacity.org>

question about LAMC 41.18

Rob Wilcox <rob.wilcox@lacity.org>
To: "Hall, Carla" <Carla.Hall@latimes.com>

Thu, Sep 1, 2016 at 12:50 PM

Carla:

Sorry for the wait.

LAMC 41.18 (d) No person shall sit, lie or sleep in or upon any street, sidewalk or other public way. Your interpretation is correct.

Only peace officers or authorized city employees could enforce that section of the ordinance. BID employees would not be able to enforce.

Hope this helps.

Rob

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